THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE MR JUSTICE P.LAKSHMANA REDDY

WRIT PETITION Nos.23661, 23740, 23741, 23742 and 23871 of 2005

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23rd November 2005

1. Writ Petition No.23661 of 2005

Between:

1. N.Pramod Kumar, S/o.Janakirama Rao, 41 years, O/o.Municipal Office, Markapur, Prakasam District.
2. N.Pradeep Kumar, S/o.Janakirama Rao, 43 years, O/o.Municipal Office, Markapur, Prakasam District.

...PETITIONERS

And

1. M.Lakshma Reddy, S/o.Malla Reddy, Municipal Commissioner Grade-II, Bodhan, Nizamabad District.

And 10 others.

...RESPONDENTS

AND BATCH (4 CASES)

THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE MR JUSTICE P.LAKSHMANA REDDY

WRIT PETITION Nos.23661, 23740, 23741, 23742 and 23871 of 2005

COMMON ORDER: (Per the Hon'ble Mr Justice B.Prakash Rao)

Heard Sri V.T.M.Prasad, the learned counsel appearing for the petitioners in all these matters and the learned Government Pleader for Services-I and the other learned counsel appearing on behalf of the contesting respondents herein.

In all these Writ Petitions, the challenge is made against the interim *ex parte* orders passed by the Andhra Pradesh Administrative Tribunal ('the APAT' for brevity) in O.As. filed by the contesting respondents herein, ordering interim suspension of the impugned G.O.Ms.No.735 Municipal Administration & Urban Development (A2)

Department, dated 05.08.2005 issued by the first respondent.

Though several contentions were sought to be urged on merits, the fact remains that the order under challenge is only an interim one apart from being *ex parte*. Apart from that, the Government did not file any counter affidavit and sought to place reliance on the files concerned. Now, it is represented that the Government filed application for vacating stay subsequent to their filing counter affidavits. That apart, the counter affidavits filed in all the Writ Petitions are now available in the APAT. Hence, it is always open to the petitioners to move the APAT for necessary orders.

Accordingly, all the Writ Petitions are disposed of directing the APAT to consider them afresh on merits in the light of the counter affidavits filed by the Government and also the writ petitioners.

The learned counsel for the respondents represented that the matter was already adjourned and listed on 30.11.2005. Hence, liberty to both the sides to make a mention before the APAT and the matter shall be disposed of on that day itself after hearing both the sides.

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(B.PRAKASH RAO, J)

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(P.LAKSHMANA REDDY, J)

23rd November 2005

NOTE: Place a copy of

order in each

bundle.

B/O

RRB

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